

REMARKS

Claims 44-102 and 109 are pending in the application. Claims 67, 68, 94, 95, 98 and 99 are allowed; claims 53 and 102 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims; and claims 44-52, 54-66, 69-93, 96, 97, 100, 101 and 109 are rejected.

Claims 63, 66, 68, 69, 77 and 85 have been amended. Accordingly, claims 44-102 and 109 will remain pending in the application upon entry of the instant amendment.

Claims 63, 66 and 85 have been amended to add a step that recapitulates what is stated in the preamble of the claims, in accordance with the Examiner's helpful suggestion. Although claim 68 is allowed, it was nevertheless similarly amended. Claims 69 and 77 were amended to add punctuation.

Amendment of the claims herein is not to be construed as an acquiescence to any of the rejections/objections made in the instant Office Action or in any previous Office Action, and was done solely to expedite prosecution of the application. Applicants hereby reserve the right to pursue the claims as originally filed, or substantially similar claims in one or more subsequent patent applications.

Rejection of Claims Under 35 U.S.C. §112, Second Paragraph

Claims 63-66 and 85-93 are rejected under 35 U.S.C. §112, second paragraph, as indefinite for failing to recite a step that recapitulates what is stated in the preamble of the claims. Independent claims 63, 66 and 85 have been amended in accordance with the Examiner's helpful suggestion on the top of page 3 of the Office Action. Although claim 68 was not subject to the rejection, it was nevertheless similarly amended. Applicants submit that the rejection is obviated by the amendment of the claims, and respectfully request reconsideration and withdrawal of the rejection.

Rejection of Claims for Double Patenting

Claims 44-52, 54-66, 69-93, 96, 97, 100, 101 and 109 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2, 3, 8, 11-15, 17-21, 47 and 48 of U.S. Patent 6,100,042. Claims 44-52, 57, 62, 71, 77, 79, 96, 97, 100, 101 and 109 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 45, 46, 48-50 and 52 of copending application Ser. No. 09/581,861.

With regard to the double patenting rejection over claims 2, 3, 8, 11-15, 17-21, 47 and 48 of U.S. Patent 6,100,042, Applicants file concurrently herewith the appropriate terminal disclaimer, thereby obviating the obviousness-type double patenting rejection as to U.S. Patent 6,100,042. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

With regard to the provisional double patenting rejection over copending application Ser. No. 09/581,861, Applicants submit that upon consideration and entry of the instant Amendment and Response, the provisional double patenting rejection will be the only rejection remaining in the instant application. Therefore, pursuant to M.P.E.P. §822.01, Applicants respectfully request that the provisional obviousness-type double patent application be withdrawn so that the instant application may proceed to allowance.

Supplemental Information Disclosure Statement

Applicants file concurrently herewith a Supplemental Information Disclosure Statement for the Examiner's consideration and respectfully request that the references cited in the SIDS be made of record in the instant application be made of record. Applicants are in the process of obtaining copies of the cited references and will forward same to the Examiner as soon as possible.

Administrative Matters

On March 22, 2004, the undersigned filed, via facsimile, a Notification of Change of Correspondence Address and a Notification of Change of Attorney Docket Number. However, the instant Office Action was marked with the former attorney docket number and mailed to the undersigned's former law firm. Applicants respectfully request that all future correspondence be

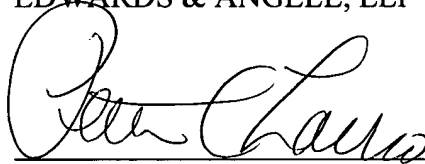
Application No.: 09/258600
Group Art Unit: 1636
Docket No.: 50370-60637DIV (formerly CPI-012CP4DV)

marked with the new attorney docket number and mailed to the undersigned at the address indicated in the aforementioned Notifications.

CONCLUSION

In view of the foregoing, Applicants respectfully request entry of the amendments reconsideration and withdrawal of all pending rejections, and allowance of this application with claims 44-102 and 109. If a telephone call with Applicants' attorney would be helpful in expediting prosecution of the application, the Examiner is invited to call the undersigned at the telephone number indicated below.

Respectfully submitted,
EDWARDS & ANGELL, LLP

A handwritten signature in cursive script, appearing to read "Peter C. Lauro", written over a horizontal line.

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